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7093

FICATE OF MAILING BY "FIRST CLASS MAIL" (37 CFR 1.8) Matter No. 61804 Applicant(s): Yoaz Daniel, et al. Group Art No. Confirmation No. Serial No. Filing Date Examiner

Not Yet Assigned

## Invention: RESOURCE MANAGEMENT IN CELLULAR NETWORKS

July 26, 2001

09/916,190

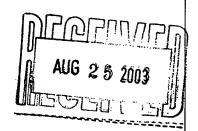
I hereby certify that a Transmittal (2 pages, in duplicate); Information Disclosure Statement (5 pages); Written Opinion from the International Preliminary Examining Authority (8 pages); Information Disclosure Statement by Applicant Form PTO/SB/08A (with copies of 3 references); a Certificate of Mailing by First Class Mail (1 page); and a stamped, pre-addressed postcard are being mailed by U.S. Postal Service First Class Mail to Mail Stop Non-Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, this 18th day of August, 2003.

Gayle Canfield

(Typed or Printed Name of Person Mailing Correspondence)

AUG 2 2 2003

Technology Center 2600



Atty Docket No. 61804

First Class Mail

# UNITED STATES PATENT AND TRADEMARK OFFICE

MARTÍ(S): Y

Y. Daniel, et al.

Group No.

2681

Serial No.:

09/916, 190

Examiner:

Not Yet Assigned

Filed:

July 26, 2001

Conf. No.

7093

For:

Resource Management in Cellular

Networks

Mail Stop Non-Fee Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

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AUG 2 2 2003

TRANSMITTAL

Technology Center 2600

Dear Sir:

Attached hereto and transmitted herewith are the following:

☑ Information Disclosure Statement (5 pages)

Written Opinion from the International Preliminary Examining Authority (8 pages)

Information Disclosure Statement by Applicant Form PTO/SB/08A (with copies of 3 references)

□ Certificate of Mailing by First Class Mail

Stamped, Pre-Addressed Postcard

## CERTIFICATE OF MAILING

I hereby certify that, on the date shown below, this correspondence is being

deposited with the United States Postal Service in an envelope addressed to Mail Stop Non-Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

#### MAILING

37 C.F.R. §1.8 ⊠ as first class mail. 37 C.F.R. §1.10

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#### **FACSIMILE TRANSMISSION**

0	transmitted by facsimile to the Patent		
	Gayle Canfield Name of Depositor	Hayle Canfield	August 18, 2003  Date

LA ( /n 8/18/03

If any fees might be due in connection with this paper, the Commissioner is authorized to charge any such fees against our Deposit Account No. 50-1662. A duplicate copy of this transmittal is attached.

Respectfully submitted,

POLSINELLI SHALTON & WELTE, P.C.

Jerome R. Smith, Jr. Reg. No. 35,684 700 W. 47<sup>th</sup> Street, Suite 1000

Kansas City, Missouri 64112

Tel: (816) 360-4119 Fax: (816) 753-1536 Attorney for Applicant

29215 / 61804 JRSMI 1031239

Atty Docket No. 61804

First Class Mail

# THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):

Y. Daniel, et al.

Group No.

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For:

Resource Management In Cellular

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Mail Stop Non-Fee Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 **RECEIVED** 

AUG 2 2 2003

Technology Center 2600

# INFORMATION DISCLOSURE STATEMENT

Dear Sir:

It is desired to cite for the record in this application the enclosed documents listed on the attached copy of PTO Form 1449. In sections I-IV, below, the paragraph(s) marked with an "x" in the requisite space are applicable to this Information Disclosure Statement.

#### I. REQUEST FOR CONSIDERATION

	[ ]	(a)	The enclosed	Information	Disclosure	Statement 1	s being file	ed within thi	ree
mon	iths of the	filin	g date or withi	in three mon	ths of the er	ntry of the n	ational stag	ge of the abo	ove-

### **CERTIFICATE OF MAILING**

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MAILING

37 C.F.R. §1.8

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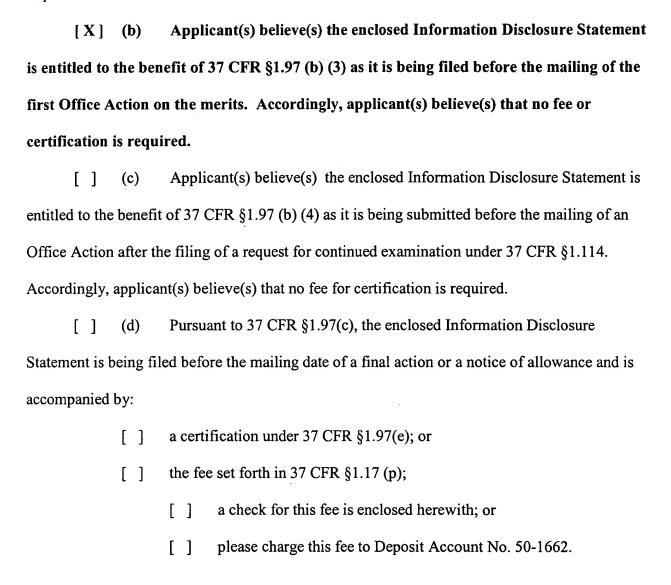
37 C.F.R. §1.10

as "Express Mail Post Office to Addressee" EXPRESS MAIL NO.

#### **FACSIMILE TRANSMISSION**

transmitted by facsimile to the Patent a		
Gayle Canfield Name of Depositor	Hayle Canfield Signature	August 18, 2003 Date

identified application. Accordingly, applicant(s) believe(s) that no fee or certification is required.



# II. PETITION UNDER 37 CFR 1.97 (d)

[ ] a) Pursuant to 37 CFR §1.97 (d), applicant(s) hereby petition(s) the Commissioner to consider the attached Information Disclosure Statement. Applicant(s) state(s) that the issue fee has not been paid and that a certification under 37 CFR §1.97 (e) is provided herein, along with the petition fee of \$130.00 required under 37 CFR §1.17 (i) (1);

		[ ]	a check for this petition fee is enclosed herewith;
		[]	please charge this petition fee to Deposit Account No. 50-1662;
and			
	b)	The in	formation disclosure fee of \$200.00 required by 37 CFR §1.17 (p) is
believed to be	due, an	d	
		[]	a check for this fee is enclosed herewith; or
		ſ 1	please charge this fee to Deposit Account No. 50-1662.

# III. CERTIFICATION UNDER 37 CFR §1.97 (e) (1)

- [X] The undersigned hereby certifies that each item of information contained in the attached Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application mailed not more that three months prior to the filing of this statement. Art was cited in an International search Report mailed July 18, 2003 in the PCT Application No. PCT/GB02/03415 corresponding to the above listed patent application.
- [X] A copy of the Written Opinion by the International Preliminary Examining

  Authority (the European Patent Office) is enclosed herewith.

# IV. CERTIFICATION UNDER 37 CFR §1.97 (e) (2)

[ ] The undersigned hereby certifies that no item of information contained in the attached Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, after

making reasonable inquiry, was known to any individual having a duty of disclosure as set forth in 37 CFR §1.56 (c) more than three months prior to the filing of this statement.

The filing of this Information Disclosure Statement is not a representation by the undersigned as to personal knowledge of the contents of every word or phrase of the material enclosed or that reliance on other suitably trained professionals has not been made.

If a search report of a governmental or international or regional bureau searching agency is enclosed identifying the nature of the relevance of each document, such a designation is deemed to satisfy 37 CFR §1.98(a) (3) even if in a foreign language, since the few terms of relevance therein are deemed of universal cognizance. However, applicant does not necessarily adopt the position reflected by that report.

The information herein cited is only in fulfillment of Applicant's(s') duty of candor in disclosing all information brought to Applicant's(s') attention. This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art". If it should be determined that any of the listed documents do not constitute "prior art" under United States law, Applicant(s) reserve(s) the right to present to the U.S. Patent and Trademark Office the relevant facts and law regarding the appropriate status of such documents.

Applicant(s) further reserve(s) the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

**PATENT** Atty Docket No. 61804 First Class Mail

The Commissioner is hereby authorized to charge payment of any additional fees

associated with this communication or credit any overpayment to Deposit Account No. 50-1662.

Respectfully submitted,

POLSINELLI SHALTON & WELTE, P.C.

Jerome R. Smith, Jr. Reg. No. 35,684 700 W. 47<sup>th</sup> Street, Suite 1000

Kansas City, Missouri 64112

Tel: (816) 360-4119 Fax: (816) 753-1536 Attorney for Applicant(s)

Date: \_ 8/10/2003

29215 / 62230 JRSMI 1031183 U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO Complete if Known 09/916,190 Application Number INFORMATION DISCLOSURE Filing Date July 26, 2001 STATEMENT BY APPLICANT Yoaz Daniel First Named Inventor Art Unit 2681 (use as many sheets as necessary) **Examiner Name** Unknown 61804 of Attorney Docket Number Sheet

_			U.S. PATENT	OCUMENTS	
Examiner	Cito	Document Number	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant
Initials *	No.1		MM-DD-YYYY	Cited Document	Passages or Relevant Figures Appear
		US-			
		US-			
		US-			DECEIVE
		US-			ULOFIA
		US-			ATTG 2 2 2003
		US-			AUG 2 Z Zuus
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		US-			Technology Center 2
		US-			10011101-37
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•	FOREIGN PATENT DOCUMENTS							
F		Foreign Patent Document	2.455	Name of Patentee or	Pages, Columns, Lines,			
Examiner Initials*	Cite No.1	Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Applicant of Cited Document	Where Relevant Passages or Relevant Figures Appear	T <sup>®</sup>		
		WO 99/60796 A2	11-25- 1999					
		WO 99/60796 A3	11-25- 1999	-		·		
		WO 00/36863	6-22-2000					
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Examiner Signature		Date Considered	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.